

PATENT COOPERATION TREATY
PCT
INTERNATIONAL SEARCH REPORT
(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 43283/X373	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/NZ2005/000058	International filing date (day/month/year) 29 March 2005	(Earliest) Priority Date (day/month/year) 25 March 2004
Applicant SENSEORTEC LIMITED et al		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 5 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (See Box No. II).

3. Unity of invention is lacking (See Box No. III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

Sampling single phase from multiphase fluid

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. 6

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

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Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

The characterising features of claims 1 and 9 are different.

Claim 1 characterises the device by operating the fluid controller to allow sample extraction after minimum volume detection.

Claim 9 characterises the device by the use of two distinct sensors capable of detecting different characteristics of the fluid.

I do not consider there to be a shared "technical relationship" between the claims if these features are what characterise the inventions.

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

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A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. 7: G01N 1/10, G01F 23/22, A01J 7/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
 DWPI -IPC G01N, G01F, A01J and keywords (fluid, froth, well, control, level, vacuum, flow and similar terms);
 USPTO and (milk, flow, sample, control, valve, froth, level and similar terms); Espace and (milk, sample, foam and similar terms)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,A	Derwent Abstract Accession No. 2004-716772/70, Class P13, RU 2236120 C1 (AGRIC ELECTRIF RES INST) 20 September 2004 See abstract	
A	US 5052341 A (WOOLFORD et al) 1 October 1991 See abstract, fig 1 and column 4	
	WO 2004/111613 A2 (THE TECHNOLOGY PARTNERSHIP PLC) 23 December 2004	
P,A	See fig 3B and page 8 line 6 to page 9 line 9	

Further documents are listed in the continuation of Box C

See patent family annex

* Special categories of cited documents:	
"A"	document defining the general state of the art which is not considered to be of particular relevance
"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E"	earlier application or patent but published on or after the international filing date
"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O"	document referring to an oral disclosure, use, exhibition or other means
"P"	document member of the same patent family
"&"	

Date of the actual completion of the international search
27 June 2005

Date of mailing of the international search report
06 JUL 2005

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 1991/002948 A1 (THE SECRETARY OF STATE FOR TRADE AND INDUSTRY IN HER BRITANNIC MAJESTY'S GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND) 7 March 1991 See abstract and fig 1	
A	Derwent Abstract Accession No. D6717B/17, Class Q39, DE 2746589 A (DUTTMANN K) 19 April 1979 See English abstract	

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report			Patent Family Member				
RU	2236120	NONE					
US	5052341	AU 62321/90 EP 0222574 NZ 217300	AU 64631/86 JP 63000240 NZ 217301		CA 1274210	NZ 212889	NZ 227457
WO	2004111613	NONE					
WO	9102948	NONE					
DE	2746589	NONE					

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX